

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, Economic Security

Chapter and its heading: 1, Department of Economic Security

Articles and their headings: 1, Public Participation in Rulemaking
2, Debt Setoff
3, Good Cause Exception for Provider Employment or Use of Ex-Offenders
4, Fingerprinting
5, Civil Rights

Section numbers: R6-1-101, R6-1-107, R6-1-201, R6-1-202, R6-1-301, R6-1-309, R6-1-401, R6-1-409, and R6-1-501 (Additional Sections may be added or deleted as necessary.)
- 2. The subject matter of the proposed rules:**

Article 1 deals with public participation in rulemaking, and governs the process by which agency rules are developed and become effective. Article 2 authorizes the Department to set off sums owed to it out of lottery winnings and state tax refunds, and describes the rights of a person whose debt was set off to file for, and receive, a review of the setoff. Article 3 prescribes the conditions under which a Department-licensed provider may employ a person who has committed prior criminal acts. Article 4 enables the Department to do criminal history checks on persons who provide unsupervised services to children. Article 5 states the Department's policy on nondiscrimination, in compliance with the Civil Rights Act of 1964.
- 3. A citation to all published notices relating to the proceeding:**

None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Beth Broeker

Address: 1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007

Telephone: (602) 542-6555

Fax: (602) 542-6000
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments from now until the close of record, which has not yet been scheduled, to the person named in item #4. No oral proceeding has been scheduled at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**

Unknown

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY
SOCIAL SERVICES

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 5, Department of Economic Security
Social Services
Articles and their headings: 58, Family Foster Parent Licensing Requirements
59, Group Foster Home Licensing Standards
69, Child Placing Agency Licensing Standards
70, Adoption Agency Licensing
74, Licensing Process and Licensing Requirements for Child Welfare
Agencies Operating Residential Group Care Facilities and Outdoor
Experience Programs
(Articles may be added or deleted as necessary.)
Section numbers: All Sections of the above Articles. (Sections may be added or deleted
as necessary.)
2. **The subject matter of the proposed rules:**
These rules describe the requirements for the licensure of foster homes, foster group homes, child placing agencies, adoption agencies, child welfare group homes, shelter homes, and outdoor experience programs for the Department of Economic Security. The amendments that will be made to these rules are in response to the recommendations made in the Department's five-year review report on the above Chapter and Articles. These rules will be consolidated with the Department's other licensing rules into a new Chapter within Title 6. Sections and Articles may be repealed, amended, renumbered, or otherwise modified in the process. Sections and Articles may also be added or deleted as necessary.
3. **A citation to all published notices related to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Beth A. Broeker
Address: 1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
A person may submit written or oral comments from the present until close of record, which has not yet been scheduled, to the person named in item #4. No oral proceedings are currently scheduled.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Not yet known

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY
SOCIAL SERVICES

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 5, Department of Economic Security
Social Services
Article and its heading: 67, Adoption Subsidy (Other Articles may be added or deleted as necessary.)
Section numbers: R6-5-6701 through R6-5-6712 (Other Sections may be added or deleted as necessary.)
2. **The subject matter of the proposed rules:**
This rulemaking will bring the adoption subsidy rules up-to-date so that they reflect current practices for the operation of the adoption subsidy program. The new rules will include definitions, a description of available assistance, eligibility criteria, the application process and procedures, the methodology for determining the amount and nature of the subsidy payment or form of assistance, and an appeal process.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Beth A. Broeker
Address: 1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted by the person listed in item #4 during business hours until further notice is provided.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security
Developmental Disabilities
Article and its heading: 17, Human Rights Committees
Section numbers: R6-6-1701 through R6-6-1706 (Sections may be added or deleted as necessary.)
2. **The subject matter of the proposed rules:**
The Department, in compliance with R1-6-108, completed a five-year review report on the rules in Chapter 6 as required by A.R.S. § 41-1056. The Department identified the need to revise and update these rules in order to comply with changes initiated by the Arizona Legislature, any applicable Federal Statutes, and to Division practices.

This Article contains rules describing specific requirements and responsibilities for establishing at least three Human Rights Committees composed of at least seven and not more than 15 persons with expertise in one or more of the following areas: psychology, law, medicine, education, special education, and parents of the developmentally disabled. The rules stipulate that each committee shall meet at least six times each calendar year and, within three months of its formation, each committee shall have established written rules by which the committee and its membership shall be governed.

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R6-6-1701, R6-6-1702, R6-6-1703, R6-6-1704, R6-6-1705, and R6-6-1706 are proposed for repeal because these rules were codified as A.R.S. § 41-3801 by Laws 2000, Ch. 261, § 2.

3. A citation to all published notices relating to the proceeding:

None to date

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Beth A. Broeker
Address: 1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

During regular business hours, from the present until the close of record, to the person designated in item #4.

6. A timetable for agency decisions or other action on the proceeding, if known:

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY
JOB TRAINING PARTNERSHIP ACT (JTPA)

1. Title and its heading:

Chapter and its heading:

Articles and their headings:

Section numbers:

6, Economic Security
11, Department of Economic Security
Job Training Partnership Act (JTPA)
1, General Provisions
2, JTPA Appeal Process
(Articles may be added or deleted as necessary.)
All Sections of the above Articles. (Sections may be added or deleted as necessary.)

2. The subject matter of the proposed rules:

These rules describe the Department of Economic Security's Job Training Partnership Act programs. The amendments to these rules will be made in response to the Department's five-year review report on these rules.

3. A citation to all published notices related to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Beth A. Broeker
Address: 1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

A person may submit written or oral comments from the present until close of record, which has not yet been scheduled, to the person named in item #4. No oral proceedings are currently scheduled.

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6. **A timetable for agency decisions or other action on the proceeding, if known:**
Not yet known

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ECONOMIC SECURITY
FOOD STAMPS PROGRAM**

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 14, Department of Economic Security
Food Stamps Program
Articles and their headings: 1, Food Stamps – General Information and Provisions
2, Food Stamps – Eligibility Standards
3, Food Stamps – Application and Certification
4, Food Stamps – Issuance
5, Food Stamps – Hearings and Appeals
6, Food Stamps – Claims and Restoration of Lost Benefits
(Articles may be added or deleted as necessary.)
Section numbers: R6-14-101 through R6-14-111, R6-14-201 through R6-14-218,
R6-14-301 through R6-14-327, R6-14-401 through R6-14-402,
R6-14-501 through R6-14-507, and R6-14-601 through R6-14-610
(Sections may be added or deleted as necessary.)
2. **The subject matter of the proposed rules:**
The proposed rules will update the current Food Stamp rules, reflecting major legislative and policy changes since these rules were first adopted in 1979. The new food stamp rules will address all food stamp related matters for which the Department has discretion. Rule changes will be made pursuant to the Department's five-year review on these rules.
3. **A citation to all published notices related to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Beth A. Broeker
Address: 1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
A person may submit written or oral comments from the present until close of record, which has not yet been scheduled, to the person named in item #4. No oral proceedings are currently scheduled.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Not yet known

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE

TRANSACTION PRIVILEGE AND USE TAX SECTION

- 1. Title and its heading:** 15, Revenue
Chapter and its heading: 5, Department of Revenue
Transaction Privilege and Use Tax Section
Article and its heading: 15, Personal Property Rental Classification
Section number: R15-5-1503
- 2. The subject matter of the proposed rule:**
R15-5-1503: Sourcing of Leased Tangible Personal Property
The Department will amend the existing rule to establish guidelines for determining the location of leasing activity for tangible personal property.
The agency docket number:
03-05-03
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Hsin Pai, Analyst
Address: Tax Policy and Research Division
Arizona Department of Revenue
1600 W. Monroe
Phoenix, AZ 85007
Telephone: (602) 542-4672
Fax: (602) 542-4680
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

1. **Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 6, Department of Insurance
Article and its heading: 2, Transaction of Insurance
Section numbers: R20-6-201 through R20-6-203, R20-6-209, R20-6-210, R20-6-212, R20-6-213, R20-6-215, and R20-6-216
2. **The subject matter of the proposed rules:**

The director will propose rulemaking action on Article 2 in response to a five-year review submitted to the Governor's Regulatory Review Council in 2002. This rulemaking package will repeal obsolete rules; improve the clarity, conciseness and understandability of all rules that are not being repealed; and add a new rule requiring insurers to provide an English translation of documents filed in a foreign language. The changes to the advertising rules are due to Laws 2000, Ch. 37, which eliminated the Department's prior review and approval of insurers' advertising materials. The Department is creating a new rule to specify the procedures for filing advertising materials and to facilitate the Department's timely review of filed materials. The new rule requiring translations will permit the Department to conduct required reviews of rules and forms.
3. **A citation to all published notices relating to the proceeding:**

None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Margaret L. McClelland
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, AZ 85018
Telephone: (602) 912-8456
Fax: (602) 912-8452
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments during a public comment period that will be noticed in the publication of the proposed rulemaking. The Department will schedule oral proceedings, within the statutorily mandated time-frame, to be noticed in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**

The Department expects to file a Notice of Proposed Rulemaking by the 4th quarter of 2003.